

## Agricultural Marketing Service, USDA

## § 931.63

have been regarded, resorted, repackaged, or in any other way further prepared for market. Promptly after inspection and certification, each such handler shall submit or cause to be submitted to the committee a copy of the certificate of inspection issued with respect to such pears. The committee may, with the approval of the Secretary, prescribe rules and regulations modifying the inspection requirements of this section as to time and place such inspection shall be performed whenever it is determined it would not be practical to perform the required inspection at a particular location: *Provided*, That all such shipments shall comply with all regulations in effect.

### § 931.56 Exemptions.

The committee shall issue certificates of exemption to any producer who applies for such exemption and furnishes adequate evidence to the committee:

(a) That by reason of a regulation he will be prevented from handling or having handled as large a proportion of his production as the average proportion of production handled by or for all producers in said applicant's production district; and

(b) That the grade, size, or quality of the applicant's pears have been adversely affected by acts beyond the applicant's reasonable expectation or control. Each certificate shall permit the producer to handle or to have handled the amount of pears specified thereon. Such certificates shall be transferred with such pears at time of shipment. The committee shall be permitted at any time to make a thorough investigation of any producer's claim for exemptions and shall determine what conditions constitute acts beyond the grower's reasonable expectation or control.

### REPORTS

### § 931.60 Reports.

(a) Upon request of the committee, made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, reports of pears received and disposed of and

such other information as may be necessary for the committee to perform its duties under this part.

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers are authorized subject to the prohibition of disclosure of individual handler's identities or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the pears received and of pears disposed of, by such handler as may be necessary to verify reports pursuant to this section.

### MISCELLANEOUS PROVISIONS

### § 931.61 Compliance.

Except as provided in this part, no person shall handle pears the shipment of which has been prohibited by the Secretary in accordance with the provisions of this part; and no person shall handle pears except in conformity with the provisions and the regulations issued under this part.

### § 931.62 Right of the Secretary.

The members of the committee (including successors and alternates), and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

### § 931.63 Effective time.

The provisions of this part and of any amendments thereto shall become effective at such time as the Secretary may declare above his signature, and